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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,883	03/12/2004	Mark Beckmann	449122068000	4897
29177 7590 09/29/2008 BELF., BOYD & LLOYD, LLP P.O. BOX 1135 CHICAGO, IL 60690				
EXAMINER				
CHANG, JUNGWON				
ART UNIT		PAPER NUMBER		
2154				
MAIL DATE		DELIVERY MODE		
09/29/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/798,883

**Applicant(s)**

BECKMANN ET AL.

**Examiner**

JUNGWON CHANG

**Art Unit**

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/15/08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is in response to RCE filed on 8/15/2008. New claims 10 and 11 are added. Claims 1-11 are presented for examination.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/15/2008 has been entered.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Costa Requena et al, (US 2004/0068574), hereinafter Requena, in view of Salomaki (US 2003/0065788).
5. As to claims 1 and 9, Requena discloses the invention as claimed, including a

method for *writing* presence attributes from a Wireless Village standard in a presence information message from an IP multimedia Subsystem standard in a mobile communication network (fig. 5), comprising:

receiving presence attributes from the Wireless Village standard (120. fig. 5, "page 13, 0126, "presence information...tuple-based format"; 0128, "WV user can send the pres"; 0130, "WV presence data format can be structured into presence data using tuples");

*writing* via a mapping unit (132, 122, fig. 5) at least one text character string of the presence attributes to a note element in a presence information message (fig. 10, "SIP message"; page 8, 0088 - page 9, 0091) from the IP multimedia Subsystem standard (fig. 11; page 11, 0100-0101; 0102, "SIP messages should use sip or sips...im, pres; 0103, "interoperability with WV terminals, the wv: can be proposed as an extension to existing schemas"; page 13, 0126, "presence information...tuple-based format"; 0128, "WV user can send the pres"; 0130, "WV presence data format can be structured into presence data using tuples); and

transmitting the presence information message to a server configured for forwarding the presence information message to additional network units (figs. 17-18; page 6, 0064, "presence delivery message"; page 15, 0136).

6. Although Requena discloses a presence server (fig. 18, "presence server"), and the presence server inherently and obviously receives the presence information message in order to provide the location information for wireless devices,

Requena does not specifically disclose presence server receives the presence information message. Salmomaki discloses transmitting the presence information message to a presence server (628, 630, fig. 6; fig. 7; page 1, 0007-0008, "transmitting presence information to the server"). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Requena and Salmomaki because Salmomaki's transmitting presence information message would allow the presence server to keep track of the availability of users and notify of changes to the users' status or availability (Salmomaki, page 1, 0002).

Although Requena discloses a presence attribute list (page 15) and writing the presence attributes to a note element, Requena does not specifically disclose presence attributes are stored to a note element. Salmomaki discloses presence attributes are stored to a note element (414, fig. 4, "means for maintaining presence attributes"; 702, fig. 7, "presence database"; page 5, 0072-0073, "presence attribute structure"; page 6, 0074-0075; page 8, 0093-0096, "availability attribute structure"). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Requena and Salmomaki because Salmomaki's teaching would allow the server to search for already stored attributes containing same identifiers as the received attribute, as taught by Salmomaki, page 1, 0008.

7. As to claim 2, Requena discloses wherein a text character string *written* in the note element is identified by a supplement that relates the text character string recorded

to the received presence attributes from the Wireless Village Standard (fig. 11; page 11, 0100-0101; 0102, "SIP messages should use sip or sips...im, pres; 0103, "interoperability with WV terminals, the wv: can be proposed as an extension to existing schemas").

8. As to claim 3, Requena discloses wherein the supplement relates the *written* text character string in a note element in a presence information message from the IP multimedia Subsystem standard to be recorded in a presence information message from the Wireless Village standard (fig. 11; page 11, 0100-0101; 0102, "SIP messages should use sip or sips...im, pres; 0103, "interoperability with WV terminals, the wv: can be proposed as an extension to existing schemas").

9. As to claim 4, Requena discloses wherein a separating character is provided between the supplement and the *written* text character string (fig. 11; page 11, 0100-0101; 0102, "SIP messages should use sip or sips...im, pres; 0103, "interoperability with WV terminals, the wv: can be proposed as an extension to existing schemas").

10. As to claim 5, Requena discloses wherein the supplement comprises a name of the presence attribute (fig. 11; page 11, 0100-0101; 0102, "SIP messages should use sip or sips...im, pres; 0103, "interoperability with WV terminals, the wv: can be proposed as an extension to existing schemas").

11. As to claim 6, Requena discloses wherein the presence information message is a Session Initiation Protocol message (page 8, 0088 - page 9, 0091; page 11, 0100-0101; 0102, "SIP messages should use sip or sips...im, pres).

12. As to claim 7, Requena discloses wherein the Session Initiation Protocol message has been extended by an Event Notification Framework (page 8, 0088 - page 9, 0091; page 11, 0100-0101; 0102, "SIP messages should use sip or sips...im, pres).

13. As to claim 8, Requena discloses wherein a text attribute related to the Wireless Village standard is created from a note element if the supplement is not recognized by the mapping unit (page 8, 0088 - page 9, 0091; page 11, 0100-0101; 0102, "SIP messages should use sip or sips...im, pres).

14. As to claim 10, Requena discloses wherein in the mapping unit is communicatively coupled to a radio terminal (fig. 9).

15. As to claim 11, Requena discloses wherein the reception unit is further configured to receive messages in line with multiple standards (fig. 9).

16. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Costa-Requena et al, US 2004/0098491, Nielson et al, US 2006/0129643, Requena et al, US 2004/0103157 discloses presence structure includes identification, name or other description of presence tuples according to IETF presence structure, Presence attributes according to Wireless Village presence structure.

Wireless Village, The Mobile IMPS Initiative, Presence Attributes Version 1.1, Ericsson, Motorola and Nokia, 2001.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNGWON CHANG whose telephone number is (571)272-3960. The examiner can normally be reached on M-F 6:30 - 2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should



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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JUNGWON CHANG/

Primary Examiner, Art Unit 2154

September 23, 2008